

CHAPTER 94
IOWA TRANSITIONAL ASSISTANCE FOR
DIRECT EDUCATION COSTS PROGRAM

PREAMBLE

This chapter implements the Iowa transitional assistance for direct education costs program (ITADEC). ITADEC provides state-only funding to allow the state to continue to provide assistance with certain costs of postsecondary education to family investment program (FIP) participants who were enrolled and participating in a PROMISE JOBS-funded postsecondary vocational classroom training plan on March 1, 1997.

The program assigns responsibility for the provision of services to the department of workforce development, known as Iowa workforce development (IWD), to be provided by IWD employees or subcontractor employees as appropriate, using the PROMISE JOBS service delivery process and program policies as described in 441—Chapter 93.

441—94.1(239B) Program scope. On a statewide basis, the Iowa transitional assistance for direct education costs (ITADEC) program provides state-funded assistance with direct education costs for certain FIP participants.

441—94.2(239B) Provision of services. The department of workforce development, known as Iowa workforce development (IWD), shall provide ITADEC services as part of the contract described at rule 441—93.103(239B), with services to be provided by IWD employees or subcontractor employees as appropriate, using the PROMISE JOBS service delivery process and program policies as described at rule 441—93.114(239B).

441—94.3(239B) Participant eligibility. To be eligible for ITADEC, a FIP participant must meet two criteria: The participant must have been enrolled and participating in a PROMISE JOBS-funded postsecondary vocational classroom training plan on March 1, 1997; and the participant must continue to carry out the training plan according to the steps of the family investment agreement (FIA) as developed by PROMISE JOBS and according to the postsecondary vocational classroom training policies as described at rule 441—93.114(239B).

441—94.4(239B) Eligible costs. FIP participants eligible for ITADEC shall be considered for training allowances for direct education costs. Direct education costs are tuition, books, fees including graduation, basic school supplies, and specific supplies related to obtaining credit for a course and required of all students in a course, and required uniforms.

441—94.5(239B) Educational financial awards. For each academic year of participation in postsecondary vocational classroom training, FIP participants eligible for ITADEC shall apply for and accept all available educational financial awards for which they are eligible, including grants and scholarships, but excluding educational loans which require repayment.

94.5(1) *Authorization of training allowances.* For FIP participants eligible for ITADEC, training allowances for direct education costs shall be authorized only when all educational awards received by the client have been used or allocated, on a month-by-month basis, for allowable training costs in the following payment order: tuition, fees including graduation, books, basic school supplies, and specific supplies (including tools and uniforms) related to obtaining credit for a course and required of all students in a course.

94.5(2) *Use of awards.*

- a. Use of educational awards to pay tuition shall be limited to the actual cost of tuition.
- b. Use of awards to pay fees, books, and supplies shall be limited to that amount that otherwise would be paid by the program.
- c. FIP participants eligible for ITADEC who pursue non-PROMISE JOBS-authorized electives which are related to but not required for their major and who qualify for financial awards solely as a result of taking these electives shall use the awards to cover allowable costs of the electives which include tuition, fees, books and supplies. Remaining award moneys shall then be used to pay tuition, fees, books and supplies of PROMISE JOBS-approved courses taken during the same term.
- d. FIP participants who are eligible for ITADEC are authorized to decline any financial aid that would result in a reduction of the client's FIP assistance.
- e. FIP participants who are eligible for ITADEC and are attending private training facilities where the tuition exceeds the amount the program can pay shall retain award moneys to pay the annual difference between actual tuition cost and the maximum tuition amount the department can pay.
- f. FIP participants who are eligible for ITADEC who elect to accept educational loan moneys in any amount may use these moneys at their discretion.

441—94.6(239B) Payment of eligible costs. ITADEC payments for expenses allowable under these rules shall be made to the training facility for the educational expenses of tuition and fees and books and supplies which are provided by the facility and billed to the PROMISE JOBS participant. Payment may also be made to the client in those situations where this is determined to be appropriate by the PROMISE JOBS worker.

441—94.7(239B) Establishing need for payments.

94.7(1) *Initiation of allowances.* Participants shall submit Form PA-8121-5, Estimate of Cost, to initiate allowances for direct education costs.

94.7(2) *Receipts.* Participants shall furnish receipts for expenditures which they pay, except for items purchased with the \$10 standard allowance for basic school supplies, unless issued in accordance with rule 441—94.9(239B), within ten days of receipt of allowances. Failure to provide receipts will preclude additional payments.

Receipts may be requested for allowances paid directly to the training provider if the ITADEC worker determines it is appropriate.

441—94.8(239B) Use of payments. Participants shall use ITADEC allowances which they receive to pay authorized expenses.

441—94.9(239B) Limits on allowances. ITADEC allowances for postsecondary classroom training are limited as follows:

94.9(1) *Baccalaureate degree programs.* Tuition allowance for baccalaureate degree programs shall not exceed the maximum undergraduate Iowa resident rate charged by a state university in Iowa.

94.9(2) *Nonbaccalaureate degree programs.* Tuition allowances for all other programs shall not exceed the rate charged by the state of Iowa area school located nearest to the participant's residence which offers a course program comparable to the one in which the participant plans to enroll. If an area school in Iowa does not offer a comparable program, the maximum tuition rate payment shall not exceed the Iowa resident rate charged by the area school located nearest to the participant's residence.

94.9(3) *Basic school supplies.* A standard allowance of \$10 per term or actual cost, whichever is higher, for basic school supplies shall be allowed for those participants who request it and who do not have sufficient educational financial awards to cover purchase of basic supplies or who must purchase basic school supplies before educational awards are received or are made available. A claim for actual costs higher than \$10 must be verified by receipts.

94.9(4) *Items for which earnings are being diverted.* No allowance shall be made for any item that is being paid for through earnings that are diverted for that purpose.

441—94.10(239B) Maximum limit on ITADEC funding. FIP participants eligible for ITADEC who developed one or more PROMISE JOBS FIAs on or after July 1, 1996, shall be eligible for consideration for allowances for direct education costs allowable under these rules for no more than 24 months within a 36-consecutive-month period of PROMISE JOBS and ITADEC combined.

For purposes of this rule, an FIA is considered to be developed when it is signed by a FIP participant who has never before signed an FIA or who must sign another FIA because FIP eligibility has been reestablished after FIP reapplication with a break in FIP assistance of more than one month.

The period of 36 consecutive months begins with the first month that the participant was eligible for consideration for PROMISE JOBS expense allowances. It is not altered by breaks in FIP assistance or breaks from the postsecondary vocational classroom training activity.

The period of 24 months of eligibility for ITADEC or PROMISE JOBS expense allowances under these rules begins with the first month that the participant is eligible for consideration for PROMISE JOBS expense allowances. A month is considered ITADEC-funded or PROMISE JOBS-funded even if no allowance is issued because the client has no expense in a month or due to educational financial awards policies as described at rule 441—94.5(239B) above or similar policies previously in effect under the PROMISE JOBS program.

441—94.11(239B) Completion or termination of a training plan.

94.11(1) *Successful completion of plan.* Participants who successfully complete their training plans may keep any books or supplies, including tools, which were purchased with ITADEC funds.

94.11(2) *Unsuccessful completion of plan.* Participants who do not complete their training programs and do not obtain training-related employment within 60 days of leaving training shall return all reusable supplies, including books and tools, but not clothing, purchased by ITADEC.

a. Staff are authorized to donate to nonprofit organizations any items which they determine are unusable by the program.

b. When tools are not returned, the amount of the ITADEC payment shall be considered an overpayment unless the participant verifies theft of the tools through documentation of timely report to a law enforcement agency.

94.11(3) *Training plan policies.* FIP participants eligible for ITADEC are covered by PROMISE JOBS completion or termination of a training plan policies found at 441—paragraphs 93.114(14) “c” to “g.”

94.11(4) Abuse of program.

a. Participants who choose the limited benefit plan (LBP) as described at 441—subparagraphs 93.114(14) “*f*” (6) and (7), or participants who fail to return supplies, when required, shall not be eligible for consideration for future ITADEC allowances.

b. Future classroom training services shall not be approved unless receipts for previous allowances are provided; ITADEC-funded items, when required, are returned; or the value of the items is refunded.

c. When the amount of the ITADEC payment for tools has been considered an overpayment as described at paragraph 94.11(2) “*b*,” the participant may refund the claim balance as recorded in the overpayment recovery system to meet this requirement.

441—94.12(239B) Recovery of ITADEC expense allowances. When a participant or a provider receives an ITADEC expense allowance greater than allowed under these rules or a duplicate payment, an overpayment is considered to have occurred and recovery is required. Staff shall use the overpayment notification and recovery policies as described at rule 441—93.151(239B).

441—94.13(239B) Right of appeal. Appeal policies described at rule 441—93.140(239B) apply to ITADEC participants.

441—94.14(239B) Confidentiality. Confidentiality policies described at rule 441—93.143(239B) apply to ITADEC participants.

These rules are intended to implement Iowa Code Supplement sections 239B.17 to 239B.22.

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